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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,582	09/18/2001	Jimmy D. Thornton	S-96,894	9380

7590 02/06/2004

Paul A. Gottlieb
United States Department of Energy
GC-62 (FORSTL) MS-6F-067
1000 Independence Ave., S.W.
Washington, DC 20585

EXAMINER

COCKS, JOSIAH C

ART UNIT PAPER NUMBER

3749

DATE MAILED: 02/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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Commissioner for Patents

see attached Notice of Non-Responsive Amendment.

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NOTICE OF NON-RESPONSIVE AMENDMENT

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/3/03 has been entered.

Amendment is Non-Responsive

2. As required by 37 CFR § 1.114 (c), the submission of an RCE in reply to an Office Action must meet the reply requirements of 37 CFR § 1.111. Under 37 CFR § 1.111 (b), “[t]he reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references.” Further, “[a] general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section.”

The reply filed on 11/3/04 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant merely amended the claims and did not include any amendments pointing out the patent ability of the claims over the applied references. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is

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longer, within which to supply the arguments in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).


USPTO Contact Information

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Josiah Cocks whose telephone number is (703) 305-0450. The examiner can normally be reached on weekdays from 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ira Lazarus, can be reached at (703) 308-1935. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0861.

jcc
February 3, 2004


JOSIAH COCKS
PATENT EXAMINER
ART UNIT 3749

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